IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1032 OF 2003
IN
WRIT PETITION NO.832 OF 2001

Office Notes, Office Memoranda of Coram, appearances, Court's Order or Directions and Registrar's Orders	Court's or Judge's Orders

Mr.S.M. Railkar for Applicants
Mr.A.V. Bukhari i/b Umesh Nabar for Respondent No.1
Mr.D.A. Patil for Respondent No.2

CORAM: SMT.NISHITA MHATRE,J.

DATED: SEPTEMBER 3, 2004

. This Civil Application has been filed by the applicants for vacating the ex-parte interim order dated 17.4.2001. By the said order, the Petition was admitted and the Petitioner was permitted to continue in service pending the hearing of the Petition. It appears that she has retired on 31.7.2002. Therefore, the Civil Application itself has become infructuous.

2. Mr.Bukhari, for Respondent No.1, the original petitioner, states that the Petitioner has not

been paid pension as payable in law. It is made clear that the applicants shall pay pension to the petitioner in accordance with the pay applicable to the Class IV category under the 5th Pay Commission.

2. Respondent No.1, that is the original Petitioner, will accept the same without prejudice to her rights in the writ petition and her contention that she ought to be paid pension as payable to the Class III category.

3. Parties be provided an authenticated copy of this order.